



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/783,927 | 02/20/2004 | Ronald A. Fleming | 09431.105004 |

CONFIRMATION NO. 7276

Madeline I. Johnston, Esq.
 KING & SPALDING LLP
 45th Floor
 191 Peachtree Street, N.E.
 Atlanta, GA 30303

FORMALITIES LETTER



OC000000012670991

Date Mailed: 05/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/20/2004 MMEKONEN 00000069 10783927

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/783,927
Applicant: Ronald A. Fleming et al.
Filed: February 20, 2004
TC/A.AU.: 1600/1614
Examiner: Unassigned

Confirmation No.: 7276

Docket No.: 09431.105004
Customer No.: 20786
Title: Phospholipids for the Treatment of Infection by Togaviruses, Herpes
Viruses and Coronaviruses

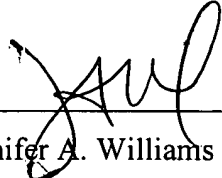
Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 14, 2004

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below-identified date.

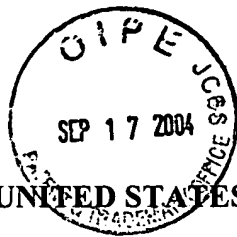
Deposit Date: September 14, 2004



Jennifer A. Williams

Correspondence Enclosed:

1. Transmittal of Missing Parts (2 pages);
2. Notice to File Missing Parts - Part 2 (2 pages);
3. Executed Declaration (4 pages);
4. Petition for Two-Month Extension of Time in duplicate (2 pages),
5. Fee Transmittal (1 page);
6. Checks in the amount of \$275.00 (\$65.00 missing parts surcharge and \$210.00 two-month extension fee); and
7. Postcard.



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/783,927 Confirmation No.: 7276
Applicant: Ronald A. Fleming et al.
Filed: February 20, 2004
TC/A.AU.: 1600/1614
Examiner: Unassigned

Docket No.: 09431.105004
Customer No.: 20786
Title: Phospholipids for the Treatment of Infection by Togaviruses, Herpes
Viruses and Coronaviruses

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 14, 2004

TRANSMITTAL OF MISSING PARTS RESPONSE


Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (the "Notice") mailed from the United States Patent and Trademark Office May 14, 2004, Applicants, through their attorneys and agents submit the following:

1. Notice to File Missing Parts - Part 2;
2. Executed Declaration;
3. Petition for Two-Month Extension of Time (2 copies);
4. Fee Transmittal;
5. Check for \$275.00;
6. Certificate of Mailing; and,
7. Postcard.

It is believed that the submission of these documents and fees constitutes a complete response to the Notice. The Commissioner is authorized to charge any additional fees, should they be due, and to credit any overpayment to Deposit Account No. 11-0980.

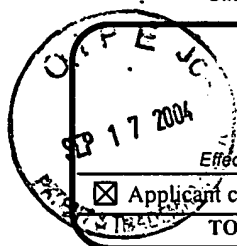
Respectfully submitted,



Madeline I. Johnston, Esq.
Registration No. 36,174

September 14, 2004
King & Spalding LLP
191 Peachtree Street
45th Floor
Atlanta, GA 30303-1763
Telephone: 404.572.4600

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2004

Effective 01/01/03, patent fees are subject to annual revision

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 275.00)

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 10/783,927 |
| Filing Date | February 20, 2004 |
| First Named Inventor | Ronald A. Fleming |
| Examiner Name | Unassigned |
| Art Unit | 1614 |
| Attorney Docket No. | 09431.105004 |

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None Order☒ Deposit Account:Deposit
Account
Number

11-0980

Deposit
Account
Name

King & Spalding LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

| Large Fee | Entity Fee | Small Fee | Entity Fee | Fee Description | Fee Paid |
|--------------|------------|-----------|------------|------------------------|-----------|
| Code | (\$) | Code | (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$ 0.00) |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from Fee Paid

Total Claims - 20** = X =
 Independent Claims - 3** = X =
 Multiple Dependent =

| Large Fee | Entity Fee | Small Fee | Entity Fee | Fee Description | Fee Paid |
|--------------|------------|-----------|------------|--|-----------|
| Code | (\$) | Code | (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | | (\$ 0.00) |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | 65.00 |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR after Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | 210.00 |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 275.00)

SUBMITTED BY**Complete (if applicable)**

| | | | | | |
|-------------------|----------------------------|------------------------------------|--------------------|-----------|--------------|
| Name (Print/Type) | Madeline I. Johnston, Esq. | Registration. No. (Attorney/Agent) | 36,174 | Telephone | 404.572.4600 |
| Signature | | Date | September 14, 2004 | | |

WARNING: Information of this may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.